



**Billing Code 4310-55**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**[FWS-R9-IA-2012-N085]**

**[FXIA16710900000P5-123-FF09A30000]**

**Endangered Species; Marine Mammals; Receipt of Applications for Permit**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of receipt of applications for permit.

**SUMMARY:** We, the U.S. Fish and Wildlife Service, invite the public to comment on the following applications to conduct certain activities with endangered species, marine mammals, or both. With some exceptions, the Endangered Species Act (ESA) and Marine Mammal Protection Act (MMPA) prohibits activities with listed species unless Federal authorization is acquired that allows such activities.

**DATES:** We must receive comments or requests for documents on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

We must receive requests for marine mammal permit public hearings, in writing, at the address shown in the **ADDRESSES** section by [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** Lisa Lierheimer, Division of Management Authority, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Room 212, Arlington, VA 22203; fax (703) 358-2280; or e-mail [DMAFR@fws.gov](mailto:DMAFR@fws.gov).

**FOR FURTHER INFORMATION CONTACT:** Lisa Lierheimer, (703) 358-2104 (telephone); (703) 358-2280 (fax); [DMAFR@fws.gov](mailto:DMAFR@fws.gov) (e-mail).

## **SUPPLEMENTARY INFORMATION:**

### **I. Public Comment Procedures**

#### **A. How Do I Request Copies of Applications or Comment on Submitted Applications?**

Send your request for copies of applications or comments and materials concerning any of the applications to the contact listed under **ADDRESSES**. Please include the *Federal Register* notice publication date, the PRT-number, and the name of the applicant in your request or submission. We will not consider requests or comments sent to an e-mail or address not listed under **ADDRESSES**. If you provide an email address in your request for copies of applications, we will attempt to respond to your request electronically.

Please make your requests or comments as specific as possible. Please confine your comments to issues for which we seek comments in this notice, and explain the basis for your comments. Include sufficient information with your comments to allow us to authenticate any scientific or commercial data you include.

The comments and recommendations that will be most useful and likely to influence agency decisions are: (1) Those supported by quantitative information or studies; and (2) Those that include citations to, and analyses of, the applicable laws and regulations. We will not consider or include in our administrative record comments we

receive after the close of the comment period (see **DATES**) or comments delivered to an address other than those listed above (see **ADDRESSES**).

#### B. May I Review Comments Submitted by Others?

Comments, including names and street addresses of respondents, will be available for public review at the street address listed under **ADDRESSES**. The public may review documents and other information applicants have sent in support of the application unless our allowing viewing would violate the Privacy Act or Freedom of Information Act. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

## II. Background

To help us carry out our conservation responsibilities for affected species, and in consideration of section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), and the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), along with Executive Order 13576, “Delivering an Efficient, Effective, and Accountable Government,” and the President’s Memorandum for the Heads of Executive Departments and Agencies of January 21, 2009 - Transparency and Open Government (74 FR 4685; January 26, 2009), which call on all Federal agencies to

promote openness and transparency in Government by disclosing information to the public, we invite public comment on these permit applications before final action is taken. Under the MMPA, you may request a hearing on any MMPA application received. If you request a hearing, give specific reasons why a hearing would be appropriate. The holding of such a hearing is at the discretion of the Service Director.

### III. Permit Applications

#### A. Endangered Species

**Applicant: Wild Acres Ranch, Sandusky, OH; PRT-64940A**

The applicant requests a permit to import four captive-bred cheetahs (*Acinonyx jubatus*), one male and three females, from Bester Birds and Animals Zoo Park, Pretoria, South Africa, for the purpose of enhancement of the survival of the species through captive breeding and zoological exhibition.

**Applicant: U.S. Fish and Wildlife Service, Corpus Christi, TX; PRT-71576A**

The applicant requests a permit to import one Kemp's ridley sea turtle (*Lepidochelys kempii*) found stranded in the Netherlands for the purpose of enhancement of the survival of the species.

**Applicant: The Dallas World Aquarium, Dallas, TX; PRT-71351A**

The applicant requests a permit to import two captive-bred Harpy eagles (*Harpia harpyja*), one male and one female, from UMA Vida Silvestre Jesus Estudillo Lopez, Ixtapaluca, Mexico, for the purpose of enhancement of the survival of the species through captive breeding and zoological exhibition.

### **Multiple Applicants**

The following applicants each request a permit to import the sport-hunted trophy of one male bontebok (*Damaliscus pygargus pygargus*) culled from a captive herd maintained under the management program of the Republic of South Africa, for the purpose of enhancement of the survival of the species.

**Applicant: Jon W. Holman, West Fargo, ND; PRT-47905A**

**Applicant: Billy R. Hablinski, Athens, TX; PRT-71492A**

### **B. Endangered Marine Mammals**

**Applicant: Edmund Gerstein, Florida Atlantic University, Boca Raton, FL; PRT-063561**

The applicant requests a renewal of the permit to take Florida manatees (*Trichechus manatus latirostris*) for the purpose of scientific research. The applicant is requesting no changes to his permit but an extension of time to allow him to complete a study to

archive and evaluate manatee responses to controlled boat approaches; his research was hampered by weather and other circumstances beyond his control. This notification covers activities to be conducted by the applicant over a 2-year period.

**Applicant: Dr. Milton Levin, University of Connecticut, Storrs, CT; PRT-48161A**

The applicant requests a permit to acquire biological samples from polar bears (*Ursus maritimus*) and Florida manatees (*Trichechus manatus latirostris*) held in captivity and to import biological samples from polar bears in the wild for the purpose of scientific research. This notification covers activities to be conducted by the applicant over a 5-year period.

Concurrent with publishing this notice in the *Federal Register*, we are forwarding copies of the above applications to the Marine Mammal Commission and the Committee of Scientific Advisors for their review.

Dated: April 6, 2012

Lisa J. Lierheimer

Supervisory Policy Specialist, Branch of Permits, Division of Management Authority

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